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May 16, 2012

Ms. Deena Sheppard
Enforcement Specialist
Environment Protection Agency – Region 5
Superfund Division (SE-5J)
77 West Jackson Boulevard
Chicago, IL 60604-3590

US EPA RECORDS CENTER REGION 5



437669

Re: **General Notice for the Gary Development Landfill Site in Gary, Indiana**
CERLIS ID#: IND077005916

Dear Ms. Sheppard:

Please allow this correspondence to serve to advise that the undersigned represents Clark Material Handling, Inc. with regard to the above-referenced matter.

Pursuant to Sections 106(a) and 107(a) of the Comprehensive Environment Response, Compensation, and Liability Act, we do not believe that Clark Material Handling, Inc. is a potentially responsible party in that Clark Material Handling, Inc. did not arrange for treatment and/or disposal of any hazardous substances at the Gary Landfill. Clark Material Handling, Inc. was not an arranger, who by contract or agreement, arranged for the disposal, treatment or transportation of hazardous substances at the Gary Landfill Site. Please provide me with any and all information in your possession that would indicate Clark Material Handling, Inc. had any involvement with hazardous materials at the site.

Moreover, please be advised that Clark Material Handling, Inc. filed for bankruptcy protection in 1996 and named the EPA as a listed creditor.

I shall look forward to hearing from you with regard to the same.

Very truly yours,

David W. Westland, Esq.
E-mail dwestland@wkb-law.com

DWW:dt

cc: Ms. Sheri Soy [via email]

Westland Kramer & Bennett P.C.

DAVID W. WESTLAND | JACK A. KRAMER | NICOLE A. BENNETT

CHRISTOPHER J. HEANEY - OF COUNSEL



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